REMARKS/ARGUMENTS

Claims 1-3 and 5 are pending in the application. Reexamination and reconsideration are hereby requested.

Claims 1-3 were rejected as anticipated by Vijayan.

Applicants repeat the argument that Vijayan provides BICM coding in a OFDM for a multipath or multibroadcast air interface system (column 4, lines 5-10, whereas claims 1-3 are using BICM for upstream in a cable TV system which has different interference problems. Thus Vijayan does make the use of BICM or the upstream in a cable TV system obvious.

Claim 5 was rejected as unpatentable over Vijayan in view of Cumberton.

Applicants reply that claim 5 requires the bits defining a QAM symbol be separately scored and decoded; whereas, Cumberton fig.9 and column 3, line 48-column 4, line 35 apparently use distances for groups of bits; see fig.9 and column 4, lines 25-30. Also, Cumberton apparently uses the term "score" for the state metric and "incremental score" for the branch metric which is more analogous to the score of claim 5.

A proposed drawing correction to fix the two mistypings of "interleave" in Fig.4 is appended. The Examiner also requested reference numerals for each element of the drawings; there is a question of which elements of Fig.3 are to be referenced. A substitute specification and drawings with reference numerals can be submitted.

Respectfully submitted,

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